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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

12

Application Number

09/760,362

Filing Date

January 12, 2001

First Named Inventor

J. CHEN

Group Art Unit

1614

Examiner Name

To Be Assigned

Attorney Docket No.

39803-2000900

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declarations

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/  
Incomplete Application

☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify  
below):

1. Request To Withdraw as Attorneys Of  
Record under 37 C.F.R. 1.36 (in  
triplicate) - 9 pages
2. Copy of Instruction of Legal Services  
letter - 2 pages
3. Return Receipt Postcard

Remarks

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DEC 03 2001  
GROUP 3600

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, CA 94304-1018

or

Individual Name

Charles D. Holland, Reg. No. 35,196

Signature

Date

November 9, 2001

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 13, 2001.

Thao Pham

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



**lightsciences™**  
CORPORATION



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September 20, 2001

Charles Holland  
Morrison & Foerster, LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018

RECEIVED  
DEC 03 2001  
GROUP 3000

Re: Portfolio of Patents and Patent Applications of Light Sciences Corporation  
Your Ref: Client 39803 for all matters

Dear Chuck:

As we discussed last week and earlier today, Light Sciences Corporation understands that a conflict or potential conflict may arise in the representation of our interests by the firm of Morrison & Foerster, LLP, with the Firm's representation of other clients, specifically, QLT, Ltd.

While I have very much enjoyed working with you and I believe that Light Sciences has been well represented by your efforts and those of other members of the Firm, I now believe it is in the best interests of Light Sciences to transfer those matters and the files to another firm.

Specifically, I am requesting that you transfer in an orderly fashion all files (active and closed) currently being handled by or in the possession of Morrison & Foerster, LLP to the attention of:

Stephanie L. Seidman  
Heller Ehrman White & McAuliffe, LLP  
4350 La Jolla Village Drive  
6th Floor  
San Diego, Ca 92122-1246  
Telephone: (858) 450-8403  
Email: [sseidman@hewm.com](mailto:sseidman@hewm.com)

It is my further request, that the following matters be addressed and that work is completed before the files are transferred:

39803- 20002.20; 20008.00; and 20013.00



## CONFIDENTIAL INFORMATION

Light Sciences Corporation confirms that it will not seek to disqualify Morrison & Foerster, LLP from representing QLT, Ltd. as a result of the work that the Firm has done on behalf of Light Sciences, provided that Morrison & Foerster, LLP agrees to treat as confidential any Light Sciences confidential information in your possession, and will continue to maintain the ethical wall that was previously set up, so that those in your Firm who have worked on Light Sciences matters will not work on QLT matters.

If you have any questions, please do not hesitate to contact me. Again, I very much appreciate the Firm's representation of Light Sciences Corporation for the past four years.

Sincerely,

Thomas D. Mays, Ph.D., J.D.  
Vice President & General Counsel

Cc: Dr. James Chen  
Marshall Small, Esq., Morrison & Foerster, LLP  
Stephanie L. Seidman, Esq., Heller Ehrman White & McAuliffe, LLP

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